

DOCKET NO.: UPN-4165

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey W. Berger And Richard A. Stone

U.S. Serial No.: 10/168,932

International Application No.: PCT/US00/34797

International Filing Date: 21 December 2000

For: JUDGING CHANGES IN IMAGES OF THE EYE

**COPY**

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for the following type of application:

*(check one applicable item below)*

- |   |  |
|---|--|
| <input type="checkbox"/> Original             | <input type="checkbox"/> Divisional                            |
| <input type="checkbox"/> Continuation         | <input checked="" type="checkbox"/> U.S. National Stage of PCT |
| <input type="checkbox"/> Continuation-in-Part |  |

My residence, post office address and citizenship are as stated below next to my name; and I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Utility Patent | <input type="checkbox"/> Design Patent |
|--|--|

is sought on the invention, whose title appears above, the specification of which:

- |  |
|--|
| <input type="checkbox"/> is attached hereto                        |
| <input type="checkbox"/> was filed on _____, as U.S. Serial Number |
| <input type="checkbox"/> and was amended on _____ (if applicable)  |

☒ was described and claimed in PCT International Application Number PCT/US00/34797, filed on 21 December 2000 and as amended under PCT Article 19 on and/or PCT Article 34 on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

**DISCLOSURE AND/OR CLAIM FOR PRIORITY UNDER  
35 U.S.C. §§ 119(a)-(d) OF FOREIGN APPLICATIONS  
FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN)  
OF THIS APPLICATION**

I hereby claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) of any foreign applications for patent, inventor's certificate or PCT international application designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's certificate or any PCT international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 37 USC § 119a-d			
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
			<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

**DISCLOSURE OF FOREIGN APPLICATION(S) IF ANY,  
FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN)  
PRIOR TO THE FILING OF THIS APPLICATION**

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)


**CLAIM FOR PRIORITY OF UNITED STATES APPLICATIONS  
OR PCT APPLICATIONS FILED  
IN THE UNITED STATES RECEIVING OFFICE  
UNDER 35 U.S.C. § 120**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Application No.</b>	<b>Date Filed</b>	<b>Status Patented/Pending/Abandoned</b>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<b>Provisional Application No.</b>	<b>Filing Date</b>
<b>60/171,519</b>	<b>22 December 1999</b>

**POWER OF ATTORNEY**

- ☒ I hereby appoint all the practitioners associated with Customer Number 23377 (which is the Customer Number assigned to Woodcock Washburn LLP) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 23377 is an attorney registered before the United States Patent and Trademark Office.

**23377**

PATENT TRADEMARK OFFICE

- ☐ I hereby appoint the following persons of the firm of WOODCOCK WASHBURN LLP, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney/Patent Agent	Registration No.

Address all telephone calls, correspondence and maintenance fee correspondence to:

**John W. Caldwell**  
WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone No.: (215) 568-3100  
Facsimile No.: (215) 568-3439

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of sole or first joint inventor**

Jeffrey

*(Given Name)*

W

*(Middle Initial or Name)*

Berger

*(Family or last name)*

**City/State of Actual Residence:** Cherry Hill, New Jersey

**Mailing Address:**

412 Tanforan Drive  
Cherry Hill, NJ 08002

**Country of Citizenship:** United States

**Inventor's signature** (Karen R. Berger on behalf of the Estate of Dr. Jeffrey Berger)

**Date:** \_\_\_\_\_

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of second joint inventor**RichardAStone*(Given Name)**(Middle Initial or Name)**(Family or last name)***City/State of Actual Residence:** Havertown, Pennsylvania**Mailing Address:** 1720 Sue Ellen Drive  
Havertown, PA 19083**Country of Citizenship:** United States**Inventor's signature:**Richard A. Stone**Date:** Dec. 16, 2002

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U.S. Serial No.: 10/168,932

International Application No.: PCT/US00/34797

International Filing Date: 21 December 2000

For: JUDGING CHANGES IN IMAGES OF THE EYE

the specification which:

**COPY**

- ☐ (a) is attached hereto
- ☐ (b) was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).
- ☒ (c) was described and claimed in International Application No. PCT/US00/34797, filed on 21 December 2000, and was amended on \_\_\_\_\_ (if any).

Commissioner of Patents and Trademarks  
Washington DC 20231

**PROOF OF AUTHORITY OF ADMINISTRATOR(TRIX), EXECUTOR(TRIX)  
OR LEGAL REPRESENTATIVE(S)**

The declaration for the above identified application was signed on behalf of the

- ☒ deceased
- ☐ incapacitated

inventor **Jeffrey W. Berger,**  
(type or print name of deceased or incapacitated inventor)

by **Karen R. Berger**  
(type or print name(s) of administrator(trix), executor(trix), legal representative, or all heirs)

Attached is:


(check and complete (d) or (e))

- ☒ a certificate of the clerk of a competent court or the register of wills that the appointment of the signature is still in force and effect.
- ☐ a certificate from the appropriate court that they are all the heirs and that the estate did not require the appointment of an administrator or that they have the authority corresponding to that of an administrator or heir.

*(also check and complete (f) and/or (g) if applicable)*

- ☐ the court papers mentioned above are not in English and an English translation of such papers are also attached.
- ☐ a notary public from a member country to the Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents or a consular officer of the United States has authenticated the signature of the foreign officer attesting to the papers submitted as proof of authority.

Date: 10/18/02

  
\_\_\_\_\_  
Vincent J. Roccia  
Registration No. 43,887

Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

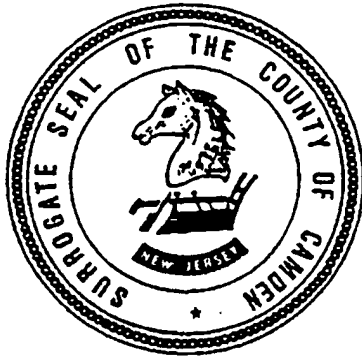


State of New Jersey  
Camden County Surrogate's Court

In the matter of the Estate  
Jeffrey Wayne Berger, Deceased

EXECUTOR  
SHORT CERTIFICATE

I, Patricia Egan Jones Surrogate, do hereby certify that the last Will and/or Codicil(s) of the above named Decedent, late of the County of Camden and State of New Jersey, was admitted to Probate by the Surrogate of Camden County, on August 14, 2001 and that Letters Testamentary were issued to Karen Renee Berger, the Executor(s) named there in, who is (are) duly authorized to take upon himself/herself/ themselves/itself the administration of the estate of said testator agreeably to the said Will and said Letters Testamentary have never been revoked and still remain in full force and effect.



WITNESS my hand and seal of office on  
August 14, 2001

  
Surrogate

\_\_\_\_\_  
Special Deputy Surrogate

COPY